

The 23rd May, 1980

No. 11(112)-80-3 Lab/7217.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Perfect Pac Limited, 27, Industrial Area, Faridabad :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA ROHTAK

Reference No. 26 of 1977

between

SHRI GOVIND RAM, WORKMAN AND THE MANAGEMENT OF M/S. PERFECT PAC LIMITED,
27, INDUSTRIAL AREA, FARIDABAD

Present:—Shri P.K. De for the workman.
Shri K.P. Aggarwal for the respondent-management.

AWARD

By order No. ID/FD/47-A-76/22066, dated 4th June, 1977 of the Governor of Haryana, the following dispute between the management of M/s. Perfect Pac Limited, 27, Industrial Area, Faridabad and its workman Shri Govind Ram was referred for adjudication to this court in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Govind Ram was justified and in order? If not, to what relief is he entitled?

On receipt of order of reference, notices as usual were sent to the parties. In response to the notices the parties put in their appearance and filed their respective pleadings. The workman prayed that his demand notice be treated as claim statement wherein he has stated that he was appointed on 7th July, 1975 on a salary Rs. 200/- P. M. as an Electrician by the respondent-management and his services were illegally terminated with effect from 23rd July, 1976 by not allowing him on duty without serving him with any notice or charge-sheet. While in their written statement the management resisted the claim of the workman and pleaded that the workman concerned committed an act of negligence and caused heavy loss to the company and a charge-sheet dated 22nd July, 1976 was issued to him simultaneously suspended him which he refused to receive and instead of replying to the charge-sheet the workman preferred to serve a demand notice which was duly replied by the management and the charge-sheet was sent along with this letter which was received by the workman. In his reply the workman has submitted that as he served a demand notice the charges had been framed against him by the management. After holding a regular enquiry and on the receipt of finding of the Enquiry Officer by which the workman was found guilty for the charges mentioned in the charge-sheet. An order of dismissal was issued on 8th October, 1976 which also was received back undelivered. During course of conciliation proceedings the management stated their entire case in the presence of the workman and his representative. The workman was in employment at the time of serving of demand notice and the management dismissed him from the services after fair and proper enquiry. The workman controverted the pleas of the management while reiterating in his rejoinder that the management terminated the services of the workman concerned on 23rd July, 1976 verbally and illegally and after raising the demand upon the management on 26th July, 1976 which they received on 27th July, 1976. Thereafter the management prepared the charge-sheet false and fabricated. On the basis of the pleadings, following issues were framed:—

1. Whether the reference is bad in law for the reasons stated in the written statement?
2. As per reference?

And the management was asked to adduce their evidence. The evidence of the management was recorded on 7th March, 1979. Shri S.C. Arora, Time Office Incharge of the respondent-management was examined as MW-1. He produced the attendance register. The workman concerned was under suspension from 23rd July, 1976 to 7th October, 1976. Copy of attendance register is Ex. M-1. The copy of the charge-sheet is Ex. M-2 which the workman refused to receive in the presence of Shri Randhir Singh, Time Keeper, Shri Tara Chand, Grinder Man and Shri Rattan Singh, Security Officer, who put in their signatures on the charge-sheet Ex. M-2 at 'Mark A, B and C'. The charge-sheet was thereafter sent to the workman by registered A.D. The workman filed his reply, dated 3rd August, 1976, the photo copy of reply is Ex. M-3. Enquiry letter was issued to the workman which he again refused to receive photo copy of which Ex. M-4. The copy of Ex. M-4 was sent to the workman by registered A.D. post but the workman did not join the enquiry proceedings. Enquiry was conducted by Shri B.R. Mehta, Personnel Officer of the management, carbon copy of the enquiry proceedings was Ex. M-5 which was in the handwriting of Shri Subhash Chander, Store Keeper. The enquiry report is Ex. M-6 Ex. M-7 is the dismissal order given by the management. Ex. M-8 to M-12 are the photostat copies of the previous record regarding

conduct of the workman. In his cross-examination the witness admitted that Shri Govind Ram was employed as an Electrician, his duty was machine checking. He was charge-sheeted for damaging Air Circuit breaker. The witness further stated that he had seen the A.D. Ex. W-3 which shows that the demand notice was received by the management on 27th July, 1976 as was evident from the receipt of signature at mark "A" on Ex. W-3. The witness also admitted that the charge-sheet was served on the management on 28th July, 1976 by registered post. The witness denied the suggestion put to him by the authorised rep. of the workman that all these proceedings were taken against the workman because he was co-participant in the labour union activities. Enquiry proceedings were written by Shri Subhash Chander, Shri Mohinder Lal and also by Shri R. S. Tanwar.

Shri R. C. Sharma, the authorised representative of the management appeared as MW-2 he deposed that he participated in the conciliation proceedings on behalf of the management. Shri Govind Ram and his representative Shri Darshan Singh attended every date of hearing. He tendered in evidence the conciliation notices Ex. M-13 to M-14. The final report of the conciliation proceedings received by the management is Ex. M-15 containing the statement of the parties.

The workman himself appeared as his own witness and deposed that he was employed with the respondent on 7th July, 1975 as an electrician on Rs 200 as his monthly salary. The management terminated his services on 23rd July, 1976. No charge-sheet was served on him. He served the Demand Notice on 26th July, 1976 on the management, conciliation proceedings were held. He received the charge-sheet on 3rd August, 1976 and replied the same on the same day. He was called to join the enquiry proceedings but he did not join as he received the charge-sheet after he had served the demand notice. In his cross-examination the workman admitted that he was on duty in night on 21st July, 1976. He did not admit that he repaired pulper main switch on that day and installed any fuse wire at 2.00 a.m. In fact the electricity failed in the pulper department due to some fault in the line which he could not check due to complete darkness. There was no torch in the factory. He had called the electrical engineer because he could not detect the fault. His duty was to maintain electrical machine and he denied the suggestion that he thrust the checking screw in the pulper main switch and instead of 5 Amps fuse wire 30, Amps fuse wire were installed by him. Thereby causing damage to the mill property wilfully.

I have heard the learned authorised representative of both the parties and gone through the evidence orally and documentarily which is on the record of the file carefully and decide the issues as under:—

Issue No. 1

The management in their written statement resisted the claim of the workman by emphatically denying the facts that the services of the workman were terminated on 23rd July, 1976 as alleged by the workman and in support of their plea the management has examined the Time Office Incharge Shri S. C. Arora as their witness who has produced the attendance register and the extract from the same which is Ex. M-1 which shows that the workman remained under suspension from the period 23rd July, 1976 to 7th October, 1976 thereafter the services of the workman were terminated on 8th October, 1976,—vide Ex. M-7. After holding domestic enquiry against the charges given in the charge-sheet, dated 22nd July, 1976 Ex. M-2. Mr. R. C. Sharma the authorised representative of the management was also examined as MW-2 who tendered in his evidence the conciliation notices Ex. M-13 & M-14 and the final report of the conciliation proceedings Ex. M-15 which contained the statement of the parties during conciliation proceedings. In his statement before the Conciliation Officer, the workman has stated that he has not been given any notice with regard to holding of an enquiry. The management also stated their entire case before the Conciliation Officer. The management has stated before the Conciliation Officer that the workman was charge-sheeted on 22nd July, 1976, but the workman refused to receive the same on 23rd July, 1976. Then the charge-sheet was sent to the workman,—vide registered post. The management replied to the Demand Notice served by the workman on the management and told him that his services had not been terminated as yet. The workman did not take part in the enquiry proceedings. Enquiry proceedings were held on 12th July, 1976 and 20th August, 1976. The workman was intimated the date fixed for the enquiry and also he was given the name of the Enquiry Officer. The letter of enquiry was sent to the workman through registered post on his address and also on the address of the union. The workman was also asked to receive the letter of enquiry in the office of Conciliation Officer but the workman refused to receive the same. In his statement he has admitted that he was on duty on 21st July, 1976 and his duty was to maintain the electrical machines and the electricity in the factory failed on that night. He could not check the fault. No other electrician was there except himself. Due to this fault the work of the factory stopped for 4 hours and production suffered. On the other hand the management alleges that the workman installed 30 Amps fuse wire instead of 5 Amps and also earlier to this he thrust the checking screw in the pulper main switch which resulted in failure of electricity and thereby damaging the air circuit breaker causing heavy loss to the company. The workman knowing it fully well that he will be charged for the act of negligence on his part in anticipation of this chose clearly the media of raising a demand against the management for his reinstatement when in fact he was in the service of the management and his services had not been terminated as yet. The workman did not have the courage to face the enquiry proceedings on the allegation levelled against him. The plea of the workman that the management prepared these charge-sheets after the service of demand notices to the management does not seem to be based on truth and is far from being probable and worthy of reliance. No management is so foolish who does not adopt the legal procedure in terminating the services of a workman and more so when the workman is an active participant in union activities. The workman appears to have taken extra precaution before hand by raising the demand notice on the management.

In view of the above discussion I am of the opinion that the demand notice served by the workman when he was already in the service of the management is pre-mature and the reference made on this demand notice is therefore, bad in law. I accordingly decide the issue No. 1 in favour of the management.

Issue No. 2.—The services of the workman were terminated by the management after holding enquiry for the charges mentioned in the charge-sheet Ex. M-2 which was received by the workman on 3rd August, 1976 and the workman replied the charge-sheet,—*vide* his letter Ex. M-3 of the same day. The Workman was asked to receive the enquiry letter before the Conciliation Officer which he refused to receive and also this letter was sent to him by registered post but the workman did not participate in the enquiry proceedings. The fact of his so doing has been discussed by me in the last paragraph while deciding issue No. 1. In my opinion the workman did not choose to participate in the enquiry proceedings only to show that the enquiry proceedings held by the management are not proper and against the principle of natural justice. The management had given full opportunity to the workman to defend himself but when he did not participate the management had no alternative except to proceed against the workman *ex parte*, and to take action on the basis of the finding of the enquiry officer. Under these circumstances I hold that the order of terminating the services of the workman is justified and an order. The workman is therefore, not entitled to any relief.

I accordingly answer the reference and return the same in these terms.

BANWARI LAL DALAL,

Dated the 30th April, 1980.

Presiding Officer,
Labour Court, Haryana, Rohtak.

Endorsement No. 1331, dated the 13th May, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 11 (112)-80-3 Lab /7352.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act. No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s Frick India Ltd., Faridabad.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK.

Application No 516 of 1978 under section 33-C(2) of the Industrial Disputes Act,

SHRI BAL KISHAN GHAMBIR, WORKMAN AND THE MANAGEMENT OF M/S FRICK
INDIA LTD., FARIDABAD

Present—Shri Bal Kishan, applicant in person.

Shri S.L. Gupta for the respondent management.

ORDER

This is an application filed by one Shri Bal Krishan Ghambir workman of M/s. Frick India Ltd. Faridabad for computation in money the value of his benefits.

Notices of the application were sent to the parties the parties put in their appearance. The management filed its written statement on 7th February, 1979 and the following issues were framed on the same day by my learned predecessor :—

- (1) Whether the applicant has an existing right to make the claim ?
- (2) What should be the amount of computation in money value of such benefits.

The case was fixed for the evidence of the applicant to be recorded on 7th March, 1979. On 7th March, 1979 the applicant moved an application for summoning some record in the possession of the management and on 17th May, 1979 Shri Ashok Kumar, Senior Time Keeper of the management who brought the summoned record was examined as WW-1. He deposed that the applicant was not paid bonus and the suspension allowance was paid to the workman up to March, 1978. The applicant was marked suspended from 1st April, 1978 to 8th June, 1978 on the attendance register. He had not brought the attendance cards with him on which the applicant has marked himself present from 1st April, 1978 to 27th May, 1978. He was not aware as to at what rate and for what period the applicant was entitled for suspension allowance. He also was not aware whether the applicant came daily for attendance or joining enquiry when he marked himself present. In January, 1978 the applicant availed earned leaves for 19, 20, 21 January, 1978 under the Factories Act. As the witness had not brought the attendance card

he was bound down for 18th July, 1979 and his cross examination was continued on 18th July, 1979. He brought the attendance card for the months of March, 1978 to June, 1978 and produced the same in evidence which were Ex. MW-1/A to MW-1/D. He denied the suggestion that there were any card for the month of March, 1978 on which the applicant signed in token of his attendance and the same has been withheld by the management on the basis of which suspension allowance has been paid to the workman. The witness was not aware whether suspension allowance for the month of March was paid to the applicant on 8th April, 1978. He also was not aware whether the applicant had been signing the attendance card upto 27th May, 1978. There was no record with him except MW-1/A to MW-1/D. The witness did not know about the dismissal of the applicant and he had shown him under suspension upto 30th June, 1978 when he was dismissed w.e.f., 8th June, 1978. He further denied the suggestion that the attendance cards had been prepared after 17th May, 1979, the previous date of hearing. The applicant produced Shri Raghbir Singh, son of Shri Nane Ram as WW-2 in support of his claim. He deposed that he was appointed as Mechanical fitter and was placed under suspension since 3rd April, 1978. He stated that he knew Shri Bal Kishan Ghambir, the applicant whom he had seen from date of his suspension till 2nd of May coming to factory and entering the gate and returning after about 15-20 minutes. He used to go to the factory for marking himself present. The witness was under suspension and also he used to remain present out side the gate of the factory. The witness has given out that there are several other workmen some of whose names were Gurdutt Bhatia, Asha Ram, Titi Singh, Hari Parshad, Kishori Lal, Daya Shanker and certain other, who were also placed under suspension, used to sit out side the factory gate under the shade of the trees and used to mark themselves present as they feared beating from the security staff of the factory. Shri Bal Kishan applicant was examined as his own witness as WW-3. He stated that he was suspended on 17th February, 1978 and marked his attendance from the date of his suspension i.e., 17th February, 1978 to 27th May, 1978 and the management has paid him the subsistence allowance upto 31st March, 1978 and this payment was made on 8th April, 1978. Bonus for 1977-78 @ 11% has not been paid to him though it has been paid to other workers, earned leave wages from 1st April, 1977 to 31st December, 1977 of 25 days had also not been paid to him. His wages was Rs. 390 per month. During enquiry proceedings on 27th March, 1978. He got recorded on the enquiry file that he should be paid subsistence allowance @ 75% but the manager who was present there told that the management could allow 25% and not @ 75% and no objection regarding his marking present was raised at that time. The management did not propose to lead any evidence in support of their contention taken in their written statement and sufficed themselves only on the production of certified Standing orders under rule 25 sub-clause 5 of which it is provided that "If the employee be dismissed as a result of the enquiry the dismissal shall have effect from the date of suspension." According to them on the basis of the rule the applicant is not entitled to suspension allowance after the dismissal as claimed by the applicant. The management has also tendered in evidence the certified copies of order of suspension and dismissal of the applicant which are exhibited as M/1 and M/2 respectively.

I have heard the arguments of the learned representatives of both the parties. I have gone through the evidence oral and documentary thoroughly and decide the issues as under :—

Issue No. 1.—Issue No. 1 is not pressed by the respondent. The same is therefore decided in favour of the applicant.

Issue No. 2.—From Ex. M/1 Charge-sheet-cum-Suspension order which in the last para reads as that the applicant was required to attend the security office at 11-30 a.m. to mark his attendance during the all period of his suspension and if the applicant failed to do so he would not be entitled to any suspension allowance. It is clear that the management was to pay the suspension allowance to the applicant if he attended the factory during his suspension period. From the statement of WW-2 and WW-3 which are consistent to this extent that the applicant used to go to the factory and got his attendance marked from 1st April, 1978 to May, 1978 and the management has paid the suspension allowance upto 31st March, 1978 and attendance card which were produced by the time keeper Ashok Kumar shows the workman has been marked suspended for the month of March, 1978 the month for which the applicant has been paid the suspension allowance. The applicant was dismissed on 8th June, 1978 and in the attendance card for the month of June, 1978 the applicant has been marked suspended for the whole of the month upto 30th June. This irregularity and contradiction in the record of the management goes to prove the incredibility of the record of the management and also goes to strengthen the case of the applicant when he contended that these attendance card have been prepared after 15th May, 1978 the date of hearing on which the management was directed to produce the attendance card for these months. The management has relied on rule 25 sub-rule V of the certified Standing order of the respondent management which is quoted as under :—

"If the employee be dismissed as result of the enquiry, the dismissal shall have effect from the date of suspension."

From this rule it can not be inferred that the dismissal order takes away the right of the workman who is placed under suspension for claiming the 50% suspension allowance for the suspension period, though the dismissal takes effect retrospectively from the date of suspension. The applicant has claimed suspension allowance @ 75% but the suspension allowance at this rate is granted only under the circumstances where the delay is due to the fault of the management and is for more than six months. But the management dismissed the applicant after conducting the domestic enquiry within four months of the date of suspension. Hence the applicant is not entitled suspension allowance @ 75%. In fact he is entitled to suspension allowance @ 50%. Suspension allowance from 1st April, 1978 to 8th June, 1978 when calculated @ 50% of the consolidated salary Rs. 390 per month comes to Rs. 442.

As regards the claim for bonus WW-1 Shri Ashok Kumar the Senior Time Keeper of the management stated that he had brought the bonus register. The applicant had not been paid the bonus for the year 1977-78. In his cross examination the management did not confine him that the bonus was not paid @ 11% to the other workers or as to at what rate the bonus was paid for the year 1977-78. In the absence of any other evidence contradicting the plea of the applicant it shall be presumed that the bonus for the year 1977-78 was paid to the workers at 11% and not at 11½% as claimed by the applicant because the applicant in his own statement has asked for at 11½% So the applicant is entitled to the bonus at 11% which come to Rs. 514.80.

As regards the claim of earned leaves wages from 1st January, 1977 to 31st December, 1977 the plea of the management that the applicant is not entitled and barred from claiming in lieu of leaves as he has raised the dispute, with regard to his dismissal is not tenable for want of evidence. The applicant is therefore, entitled to earned leave-wages for 25 days which when computed come to Rs. 325. The total amount for the benefits claimed by the applicant when computed in money come to Rs. 1281.80. When it is brought in round figures it comes to Rs. 1280. The management is therefore, bound to pay Rs. 1280 (Rs. One thousand two hundred eighty only) to the applicant.

The parties be informed accordingly.

Dated the 30th April, 1980.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

Endorsement No. 1358, dated 18th May, 1980.

Forwarded (two copies) to the Secretary to Government, Haryana, Labour and Employment Department Chandigarh as required under sub section 4 of section 33-C of the Industrial Disputes Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

Dated the 27th May, 1980.

No. 11(112)-80-3Lab./7383.—In pursuance of the provisions of section 17 of the Industrial Disputes Act 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Faridabad in respect of the dispute between the workmen and the management of M/s Sidana Engineering Works sector 24, Faridabad.

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD.

Reference No. 14 of 1979

between

SHRI HARISH CHAND WORKMAN AND THE MANAGEMENT OF M/S. SIDANA
ENGINEERING WORKS, SECTOR-24, FARIDABAD.

Present—

Shri Harish Chand workman in person alongwith Sh. Bhim Singh Yadav.
Shri R. C. Sharma for the Management.

AWARD

This reference No. 14 of 1979 has been referred to this court by the Hon'ble Governor of Haryana, vide his order No. FD/61-79/50881, dated the 30th November, 1979 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication the dispute existing between Shri Harish Chand workman and the management of M/S. Sidana Engineering Works, Sector-24, Faridabad. The term of the reference was :—

“Whether the termination of services of Shri Harish Chand was justified and in order ? If not, to what relief is he entitled ?

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorized representatives and filed their pleadings. On the pleadings of the parties the following issues were framed on 9th January, 1980:—

1. Whether the service of the workman was on probation ?
2. Whether the termination of services of the workman is justified and in order ? If not, to what relief is he entitled ?
3. Relief.

No other issue was prayed or pressed by the parties and the case was fixed for the evidence of the parties for 9th May, 1980. The workman Shri Harish Chand on 9th May, 1980 made a statement in this court that he has received a sum of Rs. 338.35 paise (Rs. Three hundred thirty eight and Paise thirty five only) full and final settlement of his all claim including the right of re-instatement or re-employment with the respondent Company. He has also stated that now there is no dispute left with the respondent management.

I thus relying on the statement of Shri Harish Chand workman hold that the demand raised by the workman against the management leading to this reference has been duly satisfied. There is now no dispute remains to be adjudicated between the parties. Therefore, I give my award accordingly. No order as to costs. So this award is in answer of this reference.

Dated the 15th May, 1980.

I. P. CHAUDHARY,

Presiding Officer,
Labour Court, Haryana.

Endst. No. 831 dated the 22nd May, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

I. P. CHAUDHARY,

Presiding Officer,
Labour Court, Haryana.
Faridabad.

No. 11(1 2)-80-3Lab./7407.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/S. Hari Palace Ambala City.

BEFORE SHRI M. C. BHARDWAJ PRESIDING OFFICER INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD

Reference No. 88 of 1978

Between

THE WORKMEN AND THE MANAGEMENT OF M/S. HARI PALACE AMBALA CITY.

Present—

Shri M. S. S. Cowshish, for the workmen.

Shri P. P. Khurana, for the management.

AWARD

1. By order No. ID/Amb/303-77/14448, dated the 17th April, 1978 the Governor of Haryana referred the following disputes between the management of M/S. Hari Palace Ambala City and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub section (1) of section 10 of the Industrial Disputes, 1947 ;

1. Whether the termination of services of Sarvshri Chander Mohan, Assistant Operator, Iqbal Singh Rewinder and Suresh Parshad is justified and in order ? If not, to what relief are they entitled ?

2. Whether the workman should be supplied with uniforms ? If so, with what details ;

3. Whether the workmen are entitled to grant of bonus for the year 1976-77 ? If so, with what details ?

2. On receipt of the order of reference notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 19th December, 1978 —

1. Whether the reference is hit by some agreement dated 24th August, 1978 ?

2. Whether the termination of S/Shri Chander Mohan, Assistant Operator, Iqbal Singh, Rewinder Suresh Parshad is justified and in order ? If not to what relief they are entitled ?

3. Whether the workmen should be supplied uniforms ? If so, with what details ?
4. Whether the workmen are entitled to grant of bonus for the year 197-77 ? If so, with what details ?

And the case was fixed for the evidence of the management. On the last date of hearing the representative for the workmen stated that he did not want to proceed further in the case and withdraw the same. In view of the above statement given by the representatives for the workmen, I give my award that there is no dispute between the parties.

Dated the 17th May, 1980.

M. C. BHARDWAJ,

Presiding Officer, Industrial,
Tribunal Haryana, Faridabad.

No. 439, dated the 20th May, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana Labour and Employment Departments Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,

Presiding Officer, Industrial, Tribunal,
Haryana, Faridabad.

No 11 (112)-80-3-Lab/7408.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/S. Municipal Committee, Ambala City.

BEFORE SHRI M. C. BHARDWAJ PRESIDING OFFICER INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 12 of 1980

Between

THE WORKMEN AND THE MANAGEMENT OF MUNICIPAL COMMITTEE, AMBALA CITY.

AWARD

1. By order No. ID/AMB/2/79/6617, dated the 5th February, 1980 the Governor of Haryana referred the following dispute between the management of M/S. Municipal Committee, Ambala City and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the workmen should be supplied with Tarrycot uniforms instead of Cotton cloth ? If so, with what details ?

2. The parties put in their appearance in response to the usual notices sent to them. But on 13th May, 1980 the date fixed in the case, none was present for both the parties. Hence the case was dismissed in default. I, therefore, give my award that there is no dispute between the parties at present.

Dated the 17th May, 1980.

M. C. BHARDWAJ,

Presiding Officer, Industrial,
Tribunal, Haryana, Faridabad.

No. 438, dated the 20th May, 1980.

Forwarded (four copies) to the Secretary to Government Haryana Labour and Employment Department Chandigarh as required under section 15 of the Industrial Disputes Act.

M. C. BHARDWAJ,

Presiding Officer, Industrial,
Tribunal, Haryana, Faridabad.